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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 396/2000
of 22 February 2000
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 February 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 22 February 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	204	46,4
	624	217,8
	999	132,1
0707 00 05	052	116,8
	068	131,5
	628	166,1
	999	138,1
0709 10 00	220	203,6
	999	203,6
0709 90 70	052	124,7
	204	43,2
	628	151,3
	999	106,4
0805 10 10, 0805 10 30, 0805 10 50	052	47,9
	204	36,5
	212	38,8
	220	23,6
	624	59,6
	999	41,3
0805 20 10	052	50,8
	204	69,4
	999	60,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	47,0
	204	79,8
	220	69,4
	464	120,7
	600	86,2
	624	62,2
	999	77,5
0805 30 10	052	47,6
	600	62,6
	999	55,1
0808 10 20, 0808 10 50, 0808 10 90	039	114,7
	060	49,0
	400	87,7
	404	85,5
	528	104,5
	720	68,3
	728	98,3
	999	86,9
0808 20 50	388	79,1
	400	110,0
	512	88,9
	528	87,4
	720	65,0
	999	86,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 397/2000
of 22 February 2000
on the sale by tender of beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 28(2) thereof,

Whereas:

- (1) The application of intervention measures in respect of beef has created stocks in several Member States. In order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender.
- (2) The sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽²⁾, as last amended by Regulation (EC) No 2417/95 ⁽³⁾, subject to certain special exceptions which are necessary.
- (3) With a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79.
- (4) Provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of that provision creates in the Member States concerned.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:
 - approximately 9 905 tonnes of bone-in beef held by the German intervention agency,
 - approximately 278 tonnes of bone-in beef held by the Portuguese intervention agency,
 - approximately 4 tonnes of bone-in beef held by the Spanish intervention agency,

— approximately 1 186 tonnes of boneless beef held by the Irish intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitations to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 13 March 2000 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

7. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79 the time limit for taking over meat sold pursuant to this Regulation shall be three months from the day of the notification referred to in Article 11 of the same Regulation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 251, 5.10.1979, p. 12.

⁽³⁾ OJ L 248, 14.10.1995, p. 39.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 120/t.

Article 5

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Vorderviertel I	2 250
	— Hinterviertel I	7 000
	— Vorderviertel II	152
	— Hinterviertel II	503
ESPAÑA	— Cuartos traseros	4
PORTUGAL	— Quartos dianteiros	11
	— Quartos traseiros	267

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

IRELAND	— Intervention fillet (INT 15)	21
	— Intervention striploin (INT 17)	2
	— Intervention rump (INT 16)	19
	— Intervention silverside (INT 14)	80
	— Intervention flank (INT 18)	118
	— Intervention forerib (INT 19)	1
	— Intervention shoulder (INT 22)	305
	— Intervention brisket (INT 23)	14
	— Intervention thick flank (INT 12)	116
	— Intervention forequarter (INT 24)	408
	— Intervention topside (INT 13)	98
	— Intervention shin (INT 21)	3
	— Intervention shank (INT 11)	1

- (¹) Véanse los anexos V y VII del Reglamento (CEE) n.º 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n.º 2812/98 (DO L 349 de 24.12.1998, p. 47).
- (¹) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).
- (¹) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).
- (¹) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).
- (¹) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).
- (¹) Voir annexes V et VII du règlement (CEE) n.º 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n.º 2812/98 (JO L 349 du 24.12.1998, p. 47).
- (¹) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).
- (¹) Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).
- (¹) Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).
- (¹) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.
- (¹) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II —
BIJLAGE II — ANEXO II — LIITE II — BILAGA II

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρέμβασης — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

BUNDESREPUBLIK DEUTSCHLAND

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 15 64-704/722; Telex: 411727; Telefax (49) 69 15 64-790/791

PORTUGAL

INGA — Instituto Nacional de Intervenção e Garantia Agrícola
Rua Fernando Curado Ribeiro, n.º 4 — 6.º E
P-1600 Lisboa
Tel. 217 51 85 00; fax: 217 51 86 15

ESPAÑA

FEGA (Fondo Español de Garantía Agraria)
Beneficencia, 8
E-28005 Madrid
Telefono: (34) 913 47 65 00, 913 47 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (34) 915 21 98 32, 915 22 43 87

IRELAND

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Johnston Castle Estate
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Tel. (353 53) 634 00; fax (353 53) 428 42

COMMISSION REGULATION (EC) No 398/2000**of 22 February 2000****amending Regulations (EC) No 659/97 and (EC) No 921/1999 as regards the calculation of the marketed quantity of producer organisations, production prices and the list of representative markets and the free distribution arrangements in the fruit and vegetables sector and repealing Regulation (EEC) No 1559/70**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 10 and Article 30(7) thereof,

Whereas:

- (1) Commission Regulation (EC) No 659/97 of 16 April 1997 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards intervention arrangements in the fruit and vegetables sector ⁽³⁾, as last amended by Regulation (EC) No 729/1999 ⁽⁴⁾, can usefully be amended in the light of a study evaluating food-aid programmes implemented under Commission auspices.
- (2) In order to bring Regulation (EC) No 659/97 into line with the other provisions in force on the common organisation of the markets, the components of marketed production of producer organisations should be altered to exclude quantities for direct sale, as these do not involve any work on the part of the producer organisations.
- (3) In view of the large number of products and representative markets to be included in the weekly notifications of production prices, exclusive use should be made of the IDES system to ensure rapid and efficient data processing.
- (4) In view of the complexity of the free distribution arrangements as shown by experience gained in recent years and in order to make monitoring more effective, the regulatory provisions and the information requested of the Member States should be simplified.
- (5) The minimum intervals at which Member States must notify the Commission of the lists of approved charitable organisations should be set.
- (6) With a view to disposing of additional quantities of products withdrawn from the market through free distribution as referred to in the first and third indents of

Article 30(1)(a) of Regulation (EC) No 2200/96, arrangements should be laid down for their processing. In addition, in the case of the free distribution operations referred to in the first indent mentioned above, provision should be made for an invitation to tender, with the possibility of payment being made in kind to processors so as to avoid expenditure on processing. Member States should be free to choose whether or not to launch such a tender. Where appropriate, charitable organisations should notify Member States of their requirements for products processed from fresh fruit and vegetables. The successful tenderer should be the one applying for the smallest quantity of fresh product to supply a given quantity of the processed product. The quantity of the fresh product in excess of the quantity required to produce the processed product intended for free distribution should constitute the payment in kind to the tenderer. The tenderer must process this quantity also.

- (7) The arrangements for meeting transport, sorting and packaging costs should be simplified and the amounts increased.
- (8) In order to indicate clearly that a Community free-distribution measure is involved, the European emblem should be shown on the packaging.
- (9) The list of representative markets should be updated.
- (10) Errors have been found in Annexes III and IV to Regulation (EC) No 659/97. They should be corrected.
- (11) Commission Regulation (EC) No 921/1999 of 30 April 1999 providing for special measures to distribute fruit and vegetables withdrawn from the market to people originating in Kosovo ⁽⁵⁾, as amended by Regulation (EC) No 2134/1999 ⁽⁶⁾, refers to Regulation (EC) No 659/97. Those references should be updated to take account of the amendments to the Regulation referred to.
- (12) Commission Regulation (EEC) No 1559/70 of 31 July 1970 laying down conditions for the supply to the animal feeding-stuffs industry of fruit and vegetables withdrawn from the market ⁽⁷⁾, as last amended by Regulation (EC) No 771/95 ⁽⁸⁾, has become obsolete and should be repealed.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 100, 17.4.1997, p. 22.

⁽⁴⁾ OJ L 93, 8.4.1999, p. 11.

⁽⁵⁾ OJ L 114, 1.5.1999, p. 46.

⁽⁶⁾ OJ L 262, 8.10.1999, p. 3.

⁽⁷⁾ OJ L 169, 1.8.1970, p. 55.

⁽⁸⁾ OJ L 77, 6.4.1995, p. 9.

- (13) The Management Committee for Fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 659/97 is amended as follows:

1. Article 3(1) is amended as follows:

- (a) point (b) of the first subparagraph is deleted;
- (b) the second subparagraph is replaced by the following:

'The marketed quantity referred to in the first subparagraph shall not include the production of members of producer organisations marketed in accordance with the first, second and third indents of Article 11(1)(c)(3) of Regulation (EC) No 2200/96.'

2. Article 7(2) is replaced by the following:

'2. For the products and during the periods listed in Annex III, Member States shall send the Commission not later than 12.00 noon (Brussels time) on the Wednesday of each week information concerning, for each marketing day, the prices recorded on their representative markets. The Commission shall forward this information to the Member States.

The information shall be sent to the Commission using the Interactive Data Entry System (IDES).'

3. Article 11 is amended as follows:

- (a) the following subparagraph is added to paragraph 1:
'These products may be processed under the terms laid down in Articles 14a or 14b;'

- (b) the second subparagraph of paragraph 3 is replaced by the following:

'From March 2000 and at intervals of three years, Member States shall notify lists of approved charitable organisations as referred to in points (b) and (c) to the Commission, which shall send those lists to all Member States.'

4. The second paragraph of Article 13 is deleted.

5. In Article 14(3):

- (a) the third indent is replaced by the following:
'— the names of the charitable organisations involved in the operation and their respective roles;'
- (b) the fourth indent is replaced by the following:
'— the substance of the agreements between the producer organisation which withdraws the prod-

ucts from the market and the charitable organisation responsible for taking delivery of them;'

- (c) the fifth indent is replaced by the following:

'— where appropriate, the name of the undertaking responsible for processing the fresh products in accordance with Article 14a.'

6. The following Articles 14a and 14b are inserted:

'Article 14a

The charitable organisation can process or have processed at its expense the products withdrawn from the market with a view to their free distribution either to persons recognised as entitled to public assistance under their national legislation or to the needy in third countries. All the resulting products must be distributed free of charge.

Article 14b

1. In line with the requirements of the charitable organisations, indicated in accordance with paragraph 3, Member States may organise one or more invitations to tender for the processing by a successful tenderer of the products withdrawn from the market.

The successful tenderer must process all the products withdrawn from the market and offered to him. The quantities of products withdrawn from the market in excess of the quantities required for the manufacture of processed products for free distribution shall constitute the payment in kind to compensate him for the manufacturing costs he must incur.

The processed products for free distribution shall then be distributed by the charitable organisations to those recognised as entitled to public assistance under the legislation of the Member State.

2. Member States wishing to implement the invitation to tender procedure referred to in paragraph 1 shall undertake the appropriate publicity and inform the Commission of the type of fruit or vegetable involved and the period covered by the procedure. This period must not exceed the marketing year for the product in question.

3. No later than the date fixed by the competent national authority, the charitable organisations involved shall notify it of their requirements for products processed from fresh fruits or vegetables as referred to in paragraph 2 and shall give an undertaking to take them over and distribute them all, free of charge. Taking over must be completed no later than one month after the processing period covered by the procedure referred to in paragraph 2.

4. Member States shall, where appropriate, group together the requirements as expressed in paragraph 3 into lots of processed products and shall draw up a draft invitation to tender.

This shall contain at least the following information for each lot:

- the fresh product involved and the period during which the products withdrawn from the market are likely to be available,
- the geographical areas in which they are likely to be stored,
- a detailed description of the product processed from fruit or vegetables to be supplied and its packaging, the deadline for its supply, together with the quantity the tenderer must undertake to produce, if the products withdrawn from the market are available.

The tendering security shall be EUR 20/tonne net weight of final product processed.

5. The draft invitation to tender referred to in paragraph 4 shall be sent to the Commission for approval. It shall be published in the *Official Journal of the European Communities*. Once the Commission has taken a favourable decision, published in the *Official Journal of the European Communities*, the invitation to tender shall be launched. At least two tenders for each lot must be submitted in response to each invitation to tender. The lot shall be awarded to the tenderer applying for the smallest quantity of fresh product against supply of the processed product. Where the same amount is sought by more than one tender, the award shall be made by drawing lots. Where all the tenders submitted involve excessively high quantities of fresh products, the Member State may decide not to make an award under the tender for the lot in question.

The Member State shall inform the Commission of the outcome of the invitation to tender. The Commission shall publish this information in the *Official Journal of the European Communities*. It may ask for details of the offers from tenderers.

6. The Member State shall inform the successful tenderer for each lot, as withdrawals are made, of producer organisations where he may obtain supplies of fresh products withdrawn from the market with priority over other beneficiaries as referred to in Articles 11 and 12 of this Regulation.

7. Upon manufacture, the processed product shall be made available to the charitable organisations at the earliest opportunity, in proportion to the quantity of fresh product made available to the successful tenderer.

8. To ensure performance of the tender, the successful tenderer must provide a security. This shall be based on the net weight of fresh product requested against the processed product manufactured. It shall be equivalent:

- in the case of the products listed in Annex II to Regulation (EC) No 2200/96, to five times the Community withdrawal compensation referred to in Article 26 of that Regulation,
- in the case of the other products, an amount set out in the notice of invitation to tender.

The security shall be released as supplies of the processed product are delivered and once the successful tenderer has provided evidence that all the fresh products made available to him against the delivery of the processed product have been processed.'

7. In Article 15(1), the words 'point 1 of Annex V' are replaced by the words 'Annex V'.
8. Article 15a is deleted.
9. Article 16 is replaced by the following:

'Article 16

1. The costs of sorting and packaging fresh fruit and vegetables withdrawn from the market for free distribution referred to in Article 30(1) of Regulation (EC) No 2200/96 shall be borne by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), at the flat-rate amount of EUR 132 per tonne net weight, in the case of products put up in packages of less than 25 kilograms net weight. The cost of fresh products intended for the manufacture of processed products as referred to in Articles 14a and 14b shall not be so borne.

2. Packages of products for free distribution shall display the European emblem, together with one or more of the following entries:

- Producto destinado a su distribución gratuita (Reglamento (CE) n° 659/97)
- Produkt til gratis uddeling (forordning (EF) nr. 659/97)
- Zur kostenlosen Verteilung bestimmtes Erzeugnis (Verordnung (EG) Nr. 659/97)
- Προϊόν προοριζόμενο για δωρεάν διανομή (κανονισμός (ΕΚ) αριθ. 659/97)
- Product for free distribution (Regulation (EC) No 659/97)
- Produit destiné à la distribution gratuite (règlement (CE) n° 659/97)
- Prodotto destinato alla distribuzione gratuita (regolamento (CE) n. 659/97)
- Voor gratis uitreiking bestemd product (Verordening (EG) nr. 659/97)
- Produto destinado a distribuição gratuita (Regulamento (CE) n.º 659/97)
- Ilmaisjakeluun tarkoitettu tuote (asetus (EY) N:o 659/97)
- Produkt för gratisutdelning (förordning (EG) nr 659/97).

Where distribution is to take place outside the Community, the entry shall also be shown in the language(s) of the third countries concerned.

Where applicable, packages of fresh products to be used in the manufacture of the processed products referred to in Articles 14a and 14b shall not show these entries.

3. The costs of sorting and packaging shall be paid to the producer organisation which performed the sorting and packaging.

Payment shall be subject to the presentation of supporting documents certifying in particular:

- the names of the beneficiary organisations,
- the quantity of the products concerned,
- acceptance by the beneficiary organisations.

10. In Annex II:

- (a) the representative markets in Germany are replaced by the following markets:
 - for cauliflowers: Straelen, Maxdorf, Erzeugergroßmarkt Thüringen-Sachsen
 - for apples: Stade, Centralmarkt Rheinland, Bodenseemarkt
 - for pears: Stade, Bodenseemarkt
 - for tomatoes: Straelen, Heidelberg, Kitzingen, Reichenau;
- (b) the representative market for strawberries in Belgium is the market at Sint-Truiden;
- (c) the following representative markets in Portugal are deleted:
 - for clementines: Alcácer do Sal
 - for sweet oranges: Santiago do Cacém
 - for peaches and nectarines: Montargil
 - for pears: Cova da Beira;
- (d) the following representative markets in Portugal are replaced:
 - for strawberries: Oeste is replaced by Ribatejo/Oeste
 - for melons and watermelons: Ribatejo is replaced by Ribatejo/Oeste;

(e) the following representative markets in Portugal are added:

- for melons: Moura and Algarve
- for sweet oranges: Vidigueira
- for watermelons: Grandola.

11. In the introduction to Annex III, 'Article 6(2)' is replaced by 'Article 7(2)'.

12. In Annex IV, 'Article 30 of Regulation (EC) No 659/97' is replaced by 'Article 30 of Regulation (EC) No 2200/96'.

13. Annex V is replaced by Annex I hereto.

14. Annex VI is replaced by Annex II hereto.

Article 2

In Article 1 of Regulation (EC) No 921/1999, 'and Article 16(2)' is deleted.

Article 3

Regulation (EEC) No 1559/70 is repealed.

Article 4

This Regulation shall enter into force on 1 March 2000.

However:

- Article 1(1) shall not apply until the beginning of the next marketing year for each product starting after the date of entry into force referred to in the first paragraph,
- Article 1(2) shall not apply until 1 June 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

‘ANNEX V

TRANSPORT COSTS UNDER FREE DISTRIBUTION ARRANGEMENTS
(referred to in Article 15)

Distance between the point of withdrawal and the place of delivery ⁽¹⁾	Transport costs (EUR/tonnes)
Less than 25 km	14,4
25 km or more but less than 200 km	30
200 km or more but less than 350 km	42
350 km or more but less than 500 km	60
500 km or more	78

Supplement for refrigerated transport: EUR 7,2/tonne

⁽¹⁾ In the case referred to in Article 14a, the distance between the point of withdrawal and the place of delivery of the processed product, passing through the place of processing.

In the case referred to in Article 14a, the distance between the point of withdrawal and the place of delivery of the processed product (the fresh products referred to in Article 14b do not qualify for the transport allowance).’

ANNEX II

‘ANNEX VI

INFORMATION CONCERNING FREE DISTRIBUTION OUTSIDE THE COMMUNITY
(referred to in Article 14)

Member State:

Commission Decision number (*):

Quantity distributed (by product):

Name and headquarters of the producer organisation making the withdrawals:

Name and headquarters of the charitable organisations involved in the operation:

Name and headquarters of the undertaking responsible for processing the products (where applicable):

Means of transport and name and headquarters of the transporter:

Country and place of final destination:

Population group for which the products are intended, with the estimated number of beneficiaries:

Dates of withdrawal, departure and delivery of the products:

(*) Save for operations carried out under Regulation (EC) No 921/1999.’

COMMISSION REGULATION (EC) No 399/2000**of 22 February 2000****determining the extent to which import rights applications submitted in February 2000 under the tariff quotas for beef provided for by Regulation (EC) No 1272/1999 for Estonia, Latvia, and Lithuania may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1272/1999 of 17 June 1999 laying down, for the period 1 July 1999 to 30 June 2000, detailed rules of application for the tariff quotas for beef originating in Estonia, Latvia and Lithuania⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

Article 1(1) and (3) of Regulation (EC) No 1272/1999 fixes the quantities of fresh, chilled and frozen beef and veal originating in Lithuania, Latvia and Estonia and of processed products originating in Latvia which may be imported on special terms during the period 1 January to 30 June 2000. No applications

were submitted for import licences for beef and veal or processed products,

HAS ADOPTED THIS REGULATION:

Article 1

No applications for import rights were submitted for the period from 1 January to 30 June 2000 under the import quotas referred to in Article 1(1) of Regulation (EC) No 1272/1999.

Article 2

This Regulation shall enter into force on 23 February 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 151, 18.6.1999, p. 7.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 February 2000

implementing Council Directive 89/106/EEC as regards the classification of the reaction to fire performance of construction products

(notified under document number C(2000) 133)

(Text with EEA relevance)

(2000/147/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Articles 3, 6 and 20 thereof,

Whereas:

- (1) Article 3(2) and (3) of Directive 89/106/EEC state that in order to take account of different levels of protection for the construction works that may prevail at national, regional or local levels, each essential requirement may give rise to the establishment of classes in the interpretative documents. These documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Council Directive 89/106/EEC'⁽³⁾.
- (2) Paragraph 4.2.1 of interpretative document No 2 justifies the need for different levels of the essential requirement as function of the type, use and location of the construction work, its layout and the availability of the emergency facilities.
- (3) Paragraph 2.2 of interpretative document No 2 lists a number of interrelated measures for the satisfaction of the essential requirement, 'Safety in case of fire' that together contribute to define the fire safety strategy that can be developed in different ways in Member States.

- (4) Paragraph 4.2.3.3 of interpretative document No 2 identifies one of these measures prevailing in Member States that consists in the limitation of the generation and spread of fire and smoke within the room of origin (or in a given area) by limiting the contribution of construction products to the full development of a fire.
- (5) The definition of classes of the essential requirement partially depends on the level of such a limitation.
- (6) The level of this limitation may be expressed only by different levels of reaction to fire performance of the products in their end-use application.
- (7) Paragraph 4.3.1.1 of the interpretative document No 2 specifies that to enable the reaction to fire performance of products to be evaluated, a harmonised solution will be developed which may utilise full or bench scale tests that are correlated to relevant real fire scenarios.
- (8) The harmonised solution lies in a system of classes that are not included in the interpretative document.
- (9) The system of classes identified for this purpose refers to a number of test methods already known to the European standardisation bodies.
- (10) Commission Decision 94/611/EC of 9 September 1994 on the application of Article 20 of Directive 89/106/EEC relating to construction products⁽⁴⁾, which describes the system of classes, does not indicate the thresholds of classes B, C and D, as the single burning item test was not sufficiently well developed at that time.

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

⁽³⁾ OJ C 62, 28.2.1994, p. 1.

⁽⁴⁾ OJ L 241, 16.9.1994, p. 25.

- (11) The relevant data are now available and Decision 94/611/EC should therefore be replaced by a new decision which includes the thresholds of the classes and some adaptations to technical progress. Alternative test procedures should be fully described in a future European standard, or Commission decision, on the basis of an agreement between the Commission and the Member States, in consultation with CEN/CENELEC and EOTA.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

1. When the end-use application of a construction product is such that it may contribute to the generation and spread of fire and smoke within the room (or area) of origin or beyond, the product shall be classified on the basis of its reaction to fire performance, having regard to the classification system set out in Tables 1 and 2 of the Annex.

2. Products shall be considered in relation to their end-use application.

If the classification based on the standardised tests and criteria listed in Tables 1 and 2 of the Annex is not appropriate, one or more reference scenarios (representative scale test(s) typifying agreed hazard scenario(s)) may be called on, within the context of a procedure providing for alternative tests.

Article 2

Decision 94/611/EC is hereby repealed.

References to the repealed Decision shall be construed as references to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 8 February 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

Symbols ⁽¹⁾

ΔT	temperature rise
Δm	mass loss
t_f	duration of flaming
PCS	gross calorific potential
FIGRA	fire growth rate
THR_{600s}	total heat release
LFS	lateral flame spread
SMOGRA	smoke growth rate
TSP_{600s}	total smoke production
Fs	flame spread

Definitions

'Material': a single basic substance or uniformly dispersed mixture of substances, for example metal, stone, timber, concrete, mineral wool with uniformly dispersed binder, polymers.

'Homogeneous product': a product consisting of a single material, having uniform density and composition throughout the product.

'Non-homogeneous product': a product that does not satisfy the requirements of a homogeneous product. It is a product composed of one or more components, substantial and/or non-substantial.

'Substantial component': a material that constitutes a significant part of a non-homogeneous product. A layer with a mass per unit area $\geq 1,0 \text{ kg/m}^2$ or a thickness $\geq 1,0 \text{ mm}$ is considered to be a substantial component.

'Non-substantial component': a material that does not constitute a significant part of a non-homogeneous product. A layer with a mass per unit area $< 1,0 \text{ kg/m}^2$ and a thickness $< 1,0 \text{ mm}$ is considered to be a non-substantial component.

Two or more non-substantial layers that are adjacent to each other (i.e. with no substantial component(s) in-between the layers) are regarded as one non-substantial component and, therefore, must altogether comply with the requirements for a layer being a non-substantial component.

For non-substantial components, distinction is made between internal non-substantial components and external non-substantial components, as follows.

'Internal non-substantial component': a non-substantial component that is covered on both sides by at least one substantial component.

'External non-substantial component': a non-substantial component that is not covered on one side by a substantial component.

Table 1

CLASSES OF REACTION TO FIRE PERFORMANCE FOR CONSTRUCTION PRODUCTS EXCLUDING FLOORINGS (*)

Class	Test method(s)	Classification criteria	Additional classification
A1	EN ISO 1182 ⁽¹⁾ and	$\Delta T \leq 30 \text{ }^\circ\text{C}$; and $\Delta m \leq 50 \%$; and $t_f = 0$ (i.e. no sustained flaming)	—
	EN ISO 1716	$PCS \leq 2,0 \text{ MJ.kg}^{-1}$ ⁽¹⁾ and $PCS \leq 2,0 \text{ MJ.kg}^{-1}$ ⁽²⁾ ^(2a) and $PCS \leq 1,4 \text{ MJ.m}^{-2}$ ⁽³⁾ and $PCS \leq 2,0 \text{ MJ.kg}^{-1}$ ⁽⁴⁾	—

⁽¹⁾ The characteristics are defined with respect to the appropriate test method.

Class	Test method(s)	Classification criteria	Additional classification
A2	EN ISO 1182 ⁽¹⁾ or	$\Delta T \leq 50\text{ }^{\circ}\text{C}$ and $\Delta m \leq 50\%$ and $t_f \leq 20\text{s}$	—
	EN ISO 1716 and	$\text{PCS} \leq 3,0\text{ MJ.kg}^{-1}$ ⁽¹⁾ and $\text{PCS} \leq 4,0\text{ MJ.m}^{-2}$ ⁽²⁾ and $\text{PCS} \leq 4,0\text{ MJ.m}^{-2}$ ⁽³⁾ and $\text{PCS} \leq 3,0\text{ MJ.kg}^{-1}$ ⁽⁴⁾	—
	EN 13823 (SBI)	$\text{FIGRA} \leq 120\text{ W.s}^{-1}$ and $\text{LFS} < \text{edge of specimen}$ and $\text{THR}_{600\text{s}} \leq 7,5\text{ MJ}$	Smoke production ⁽⁵⁾ , and flaming droplets/particles ⁽⁶⁾
B	EN 13823 (SBI) and	$\text{FIGRA} \leq 120\text{ W.s}^{-1}$ and $\text{LFS} < \text{edge of specimen}$ and $\text{THR}_{600\text{s}} \leq 7,5\text{ MJ}$	Smoke production ⁽⁵⁾ , and flaming droplets/particles ⁽⁶⁾
	EN ISO 11925-2 ⁽⁸⁾ : <i>Exposure = 30s</i>	$\text{Fs} \leq 150\text{ mm}$ within 60s	
C	EN 13823 (SBI) and	$\text{FIGRA} \leq 250\text{ W.s}^{-1}$ and $\text{LFS} < \text{edge of specimen}$ and $\text{THR}_{600\text{s}} \leq 15\text{ MJ}$	Smoke production ⁽⁵⁾ , and flaming droplets/particles ⁽⁶⁾
	EN ISO 11925-2 ⁽⁸⁾ : <i>Exposure = 30s</i>	$\text{Fs} \leq 150\text{ mm}$ within 60s	
D	EN 13823 (SBI) and	$\text{FIGRA} \leq 750\text{ W.s}^{-1}$	Smoke production ⁽⁵⁾ , and flaming droplets/particles ⁽⁶⁾
	EN ISO 11925-2 ⁽⁸⁾ : <i>Exposure = 30s</i>	$\text{Fs} \leq 150\text{ mm}$ within 60s	
E	EN ISO 11925-2 ⁽⁸⁾ : <i>Exposure = 15s</i>	$\text{Fs} \leq 150\text{ mm}$ within 20s	Flaming droplets/particles ⁽⁷⁾
F	No performance determined		

(*) The treatment of some families of products, e.g. linear products (pipes, ducts, cables, etc.), is still under review and may necessitate an amendment to this decision.

⁽¹⁾ For homogeneous products and substantial components of non-homogeneous products.

⁽²⁾ For any external non-substantial component of non-homogeneous products.

^(2a) Alternatively, any external non-substantial component having a $\text{PCS} \leq 2,0\text{ MJ.m}^{-2}$, provided that the product satisfies the following criteria of EN 13823 (SBI): $\text{FIGRA} \leq 20\text{ W.s}^{-1}$; and $\text{LFS} < \text{edge of specimen}$, and $\text{THR}_{600} \leq 4,0\text{ MJ}$ and s1 and d0.

⁽³⁾ For any internal non-substantial component of non-homogeneous products.

⁽⁴⁾ For the product as a whole.

⁽⁵⁾ s1 = $\text{SMOGRA} \leq 30\text{m}^2.\text{s}^{-2}$ and $\text{STP}_{600\text{s}} \leq 50\text{m}^2$; s2 = $\text{SMOGRA} \leq 180\text{m}^2.\text{s}^{-2}$ and $\text{TSP}_{600\text{s}} \leq 200\text{m}^2$; s3 = not s1 or s2.

⁽⁶⁾ d0 = No flaming droplets/particles in EN 13823 (SBI) within 600s; d1 = no flaming droplets/particles persisting longer than 10s in EN 13823 (SBI) within 600s; d2 = not d0 not d1; ignition of the paper in EN ISO 11925-2 results in a d2 classification.

⁽⁷⁾ Pass = no ignition of the paper (no classification); fail = ignition of the paper (d2 classification).

⁽⁸⁾ Under conditions of surface flame attack and, if appropriate to the end-use application of the product, edge flame attack.

Table 2

CLASSES OF REACTION TO FIRE PERFORMANCE FOR FLOORINGS

Class	Test method(s)	Classification criteria	Additional classification
A1 _{FL}	EN ISO 1182 ⁽¹⁾ and	$\Delta T \leq 30\text{ }^{\circ}\text{C}$ and $\Delta m \leq 50\%$ and $t_f = 0$ (i.e. no sustained flaming)	—
	EN ISO 1716	$PCS \leq 2,0\text{ MJ.kg}^{-1}$ ⁽¹⁾ and $PCS \leq 2,0\text{ MJ.kg}^{-1}$ ⁽²⁾ and $PCS \leq 1,4\text{ MJ.m}^{-2}$ ⁽³⁾ and $PCS \leq 2,0\text{ MJ.kg}^{-1}$ ⁽⁴⁾	—
A2 _{FL}	EN ISO 1182 ⁽¹⁾ or	$\Delta T \leq 50\text{ }^{\circ}\text{C}$ and $\Delta m \leq 50\%$ and $t_f \leq 20\text{ s}$	—
	EN ISO 1716 and	$PCS \leq 3,0\text{ MJ.kg}^{-1}$ ⁽¹⁾ and $PCS \leq 4,0\text{ MJ.m}^{-2}$ ⁽²⁾ and $PCS \leq 4,0\text{ MJ.m}^{-2}$ ⁽³⁾ and $PCS \leq 3,0\text{ MJ.kg}^{-1}$ ⁽⁴⁾	—
	EN ISO 9239-1 ⁽⁵⁾	Critical flux ⁽⁶⁾ $\geq 8,0\text{ kW.m}^{-2}$	Smoke production ⁽⁷⁾
B _{FL}	EN ISO 9239-1 ⁽⁵⁾ and	Critical flux ⁽⁶⁾ $\geq 8,0\text{ kW.m}^{-2}$	Smoke production ⁽⁷⁾
	EN ISO 11925-2 ⁽⁸⁾ <i>Exposure = 15s</i>	$FS \leq 150\text{ mm}$ within 20s	
C _{FL}	EN ISO 9239-1 ⁽⁵⁾ and	Critical flux ⁽⁶⁾ $\geq 4,5\text{ kW.m}^{-2}$	Smoke production ⁽⁷⁾
	EN ISO 11925-2 ⁽⁸⁾ <i>Exposure = 15s</i>	$FS \leq 150\text{ mm}$ within 20s	
D _{FL}	EN ISO 9239-1 ⁽⁵⁾ and	Critical flux ⁽⁶⁾ $\geq 3,0\text{ kW.m}^{-2}$	Smoke production ⁽⁷⁾
	EN ISO 11925-2 ⁽⁸⁾ <i>Exposure = 15s</i>	$FS \leq 150\text{ mm}$ within 20s	
E _{FL}	EN ISO 11925-2 ⁽⁸⁾ <i>Exposure = 15s</i>	$FS \leq 150\text{ mm}$ within 20s	
F _{FL}	No performance determined		

⁽¹⁾ For homogeneous products and substantial components of non-homogeneous products.

⁽²⁾ For any external non-substantial component of non-homogeneous products.

⁽³⁾ For any internal non-substantial component of non-homogeneous products.

⁽⁴⁾ For the product as a whole.

⁽⁵⁾ Test duration = 30 minutes.

⁽⁶⁾ Critical flux is defined as the radiant flux at which the flame extinguishes or the radiant flux after a test period of 30 minutes, whichever is the lower (i.e. the flux corresponding with the furthest extent of spread of flame).

⁽⁷⁾ s1 = Smoke $\leq 750\text{ %}.\text{min}$; s2 = not s1.

⁽⁸⁾ Under conditions of surface flame attack and, if appropriate to the end-use application of the product, edge flame attack.

COMMISSION DECISION
of 11 February 2000
on Finnish State aid for seeds
(notified under document number C(2000) 358)
(Only the Finnish and Swedish texts are authentic)

(2000/148/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organisation of the market in seeds ⁽¹⁾, as last amended by Regulation (EC) No 1405/1999 ⁽²⁾, and in particular Article 8 thereof,

Whereas:

(1) Under the above Regulation, Finland may, subject to authorisation by the Commission, grant aid for certain quantities of seeds produced solely in Finland because of its specific climatic conditions.

(2) In 1995, Finland notified a draft Decision granting State aid for the production of certain forage seeds. That aid was authorised for 1995 by Commission Decision 95/282/EC of 17 July 1995 on Finnish State aid for seeds ⁽³⁾. The Decision authorised State aid for up to a maximum of the average areas cultivated in Finland over the period 1989 to 1993, and covering estimated domestic requirements in 1995, for red clover (*Trifolium pratense* L.), timothy (*Phleum pratense* L.), meadow fescue (*Festuca pratensis* huds.), cocksfoot (*Dactylis glomerata* L.) and ryegrass (*Lolium perenne* L.). Authorisation was given for varieties listed in Finland's national catalogue and which, except for small quantities cultivated in regions bordering on Finland, are produced solely in that Member State.

(3) The Finnish authorities were to send the Commission a report on the application of Decision 95/282/EC by 30 April 1996. The report was sent on 26 October 1998. Technical discussions were held between the Finnish Ministry of Agriculture and Forestry and the Commission on the report, covering the amounts of aid actually granted, the area cultivated and the production and marketing of each species and variety for which aid was granted.

(4) Finland adopted the maximum areas laid down by Decision 95/282/EC and set maximum amounts of aid for 1996, 1997, 1998 and 1999 on the basis that the income of producers, after receipt of the aid, should be no more than the average income of producers during the reference period from 1989 to 1993. Except for 1999, the amounts of aid were calculated and paid to producers.

(5) According to the information sent by the Finnish authorities, Finland applied Decision 95/282/EC for the 1995 to 1999 marketing years. The areas of red clover for which State aid was paid exceeded the limits laid down by the Commission in 1995 from 1997 onwards. The same occurred with meadow fescue and ryegrass in 1998. The amounts of State aid for the species concerned were reduced proportionally.

(6) The fact that State aid was set and paid to producers beyond the period authorised by the Commission makes the aid illegal, but not necessarily incompatible with the second paragraph of Article 8 of Regulation (EEC) No 2358/71.

(7) On the basis of the information supplied by the Finnish Government, the Commission noted that, from 1 January 1996 to 1998, the Finnish aid was paid for varieties of seed produced in Finland because of its specific climatic conditions. The Commission also noted that, with regard to the period 1996 to 1998, the overrun, from 1997 for red clover and from 1998 for meadow fescue and ryegrass, of the maximum areas for which aid could be granted for 1995 laid down by the Commission was offset by a proportional reduction in the amount of aid. The calculations for 1999 have not yet been finalised, but a maximum amount has been set for the aid.

(8) Under these circumstances, the Commission can authorise the aid retrospectively for the period from 1996 to 1998 and authorise the maximum amount of

⁽¹⁾ OJ L 246, 5.11.1971, p. 1.

⁽²⁾ OJ L 164, 30.6.1999, p. 17.

⁽³⁾ OJ L 173, 25.7.1995, p. 58.

aid for 1999 within the limit of the maximum area laid down by Decision 95/282/EC for the species other than red clover, the maximum authorised area of which should be increased by 300 hectares compared with that for the 1995 marketing year to take account of an increase in demand and the absence on the market of varieties suited to the specific climatic conditions of Finland,

HAS ADOPTED THIS DECISION:

Article 1

The aid granted by Finland, without prior authorisation from the Commission, from 1 January 1996 to 1998 within the limits of the areas and amounts laid down in the Annex for certified seeds of varieties of red clover (*Trifolium pratense* L.), timothy (*Phleum pratense* L.), meadow fescue (*Festuca pratensis* huds.), cocksfoot (*Dactylis glomerata* L.) and ryegrass (*Lolium perenne* L.) listed in Finland's national catalogue and which, except for small quantities cultivated in regions bordering on Finland, are produced solely in that Member State is compatible with the second paragraph of Article 8 of Regulation (EEC) No 2358/71 and is therefore authorised.

Article 2

The maximum amounts of aid or lower amounts set by Finland, without prior authorisation from the Commission, for 1999 within the limits of the areas and amounts laid down in the Annex for certified seeds of varieties of red clover (*Trifolium pratense* L.), timothy (*Phleum pratense* L.), meadow fescue (*Festuca pratensis* huds.), cocksfoot (*Dactylis glomerata* L.) and ryegrass (*Lolium perenne* L.) listed in Finland's national catalogue and which, except for small quantities cultivated in regions bordering on Finland, are produced solely in that Member State are compatible with the second paragraph of Article 8 of Regulation (EEC) No 2358/71 and are therefore authorised.

Article 3

This Decision is addressed to the Republic of Finland.

Done at Brussels, 11 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

A. **Red clover** (*Trifolium pratense* L.)

	1996	1997	1998	1999
Maximum area (ha)	269	521	673	620
Aid per hectare (maximum aid for 1999) (FIM)	1 020	1 658	1 284	2 700

B. **Timothy** (*Phleum pratense* L.)

	1996	1997	1998	1999
Maximum area (ha)	4 776	4 900	4 295	5 000
Aid per hectare (maximum aid for 1999) (FIM)	1 351	1 383	1 350	1 350

C. **Meadow fescue** (*Festuca pratensis* huds.)

	1996	1997	1998	1999
Maximum area (ha)	945	981	1 331	1 200
Aid per hectare (maximum aid for 1999) (FIM)	1 633	1 650	1 442	1 600

D. **Cocksfoot** (*Dactylis glomerata* L.)

	1996	1997	1998	1999
Maximum area (ha)	15	10	12	30
Aid per hectare (maximum aid for 1999) (FIM)	346	2 000	2 000	2 000

E. **Ryegrass** (*Lolium perenne* L.)

	1996	1997	1998	1999
Maximum area (ha)	33	58	71	160
Aid per hectare (maximum aid for 1999) (FIM)	1 460	1 160	2 054	2 400

COMMISSION DECISION
of 22 February 2000
concerning certain protection measures relating to avian influenza in Italy

(notified under document number C(2000) 489)

(Text with EEA relevance)

(2000/149/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular, Article 10(4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular, Article 9(4) thereof,

Whereas:

- (1) Outbreaks of avian influenza have occurred in Italy in several regions since 20 December 1999.
- (2) Measures to control avian influenza are given in Council Directive 92/40/EEC introducing Community measures for the control of avian influenza ⁽⁴⁾.
- (3) The provisions for intra Community trade in live poultry and hatching eggs are given in Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽⁵⁾, as last amended Directive 1999/90/EC ⁽⁶⁾.
- (4) The provisions for intra-Community trade in birds other than poultry referred to in Directive 90/539/EEC are given in Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A Section I to Directive 90/425/EEC ⁽⁷⁾, as last amended by Commission Decision 95/176/EC ⁽⁸⁾.

- (5) The provisions for intra-Community trade in fresh poultry meat are given in Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat ⁽⁹⁾, as last amended by Directive 1999/89/EC ⁽¹⁰⁾.
- (6) The disease situation is liable to endanger the flocks in other parts of the Community in view of trade in live poultry and birds and hatching eggs thereof.
- (7) Italy has established avian influenza preventive and control measures within the framework of:
 - Directive 92/40/EEC
 - Directive 90/539/EEC
 - Directive 92/65/EEC
 - Directive 91/494/EEC
 - National Decree No 600.6/24461/57N/139 issued on 14 January 2000 by the Ministry of Health of Italy.
- (8) Member States recognise that measures implemented by Italy are appropriate.
- (9) However in view of the evolution of the disease and the specificity of the epidemiology of this particular epidemic specific measures shall be adopted in view of reducing the risk of spreading the virus within the poultry population.
- (10) These measures should reflect the specific structure of the integrated industry in the affected area.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Complementary measures shall be implemented by Italy. They should contain at least the following provisions:

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 167, 22.6.1992, p. 1.

⁽⁵⁾ OJ L 303, 31.10.1990, p. 6.

⁽⁶⁾ OJ L 300, 23.11.1999, p. 19.

⁽⁷⁾ OJ L 268, 13.7.1992, p. 54.

⁽⁸⁾ OJ L 117, 24.5.1995, p. 23.

⁽⁹⁾ OJ L 268, 24.9.1991, p. 35.

⁽¹⁰⁾ OJ L 300, 23.11.1999, p. 17.

(a) **In the state of Italy**

1. Disposable packaging shall be used for collection, storage and transport of table eggs. The pieces of packaging shall be destroyed immediately after use in such a way to guarantee the destruction of the virus with methods approved by the competent authority.
2. Packaging centres for table eggs situated in close proximity of a farm where birds of susceptible species are kept must not introduce eggs coming from farms located in provinces where avian influenza has been confirmed.

(b) **In regions where avian influenza has been confirmed in the last 30 days**

1. All means of transport used for poultry, hatching eggs, table eggs and poultry feedstuff must be cleaned and disinfected immediately before entering and after leaving a farm or a related plant with disinfectants and methods approved by the competent authority. For means of transport engaged in intra-Community trade, a document ascertaining this disinfection shall be issued and should at least contain the information on cleansing and disinfection equivalent to that shown in the Annex.
2. All the machinery for loading and unloading the lorries shall be cleaned and disinfected immediately before and after use according to paragraph 1.
3. Hatching eggs, their packing and means of transport must be disinfected before dispatch according to paragraph 1.
4. The person responsible for a poultry-holding shall ensure that all persons entering and leaving the holding apply strict bio-security measures as well as providing clean protective clothes and footwear to visitors, catchers and other persons. The responsible person shall also ensure that appropriate means of disinfection are used at the entrances and exits of buildings housing poultry.

(c) **In provinces where avian influenza has been confirmed in the last 30 days**

1. All means of transport for poultry, hatching eggs, table eggs and poultry feedstuff shall transport only one single consignment intended for or coming from one single farm or plant at one time.

2. All means of transport for poultry, hatching eggs, table eggs and poultry feedstuff leaving these provinces must be accompanied by an official document certifying that the means of transport have been cleaned and disinfected prior to movement according to point (b)1. These lorries shall transport only one single consignment intended for or coming from one single farm or plant at one time.
3. Used litter and poultry manure may only be removed from the holding or spread with authorisation given by the competent authority. Such authorisation must take into account the provisions of Annex II Section II(d) of Directive 92/40/EEC.

Article 2

The central veterinary authority may introduce further measures other than those referred to in this Decision if they are deemed necessary for the eradication of the disease. Italy shall inform the Commission and the Member States of these measures immediately.

Article 3

Member States shall ensure that the provisions of Article 1(a) (1) are applied for all consignments coming from or originating in Italy.

Article 4

Member States shall amend the measures which they apply to trade so as to bring them into conformity with this Decision. They shall immediately inform the Commission thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 22 February 2000.

For the Commission

David BYRNE

Member of the Commission

ANNEX

CLEANSING AND DISINFECTION CERTIFICATE FOR MEANS USED FOR THE TRANSPORT OF POULTRY AND PRODUCTS THEREOF**1. Declaration of the operator/driver of transport**

I, the operator/driver of the vehicle
 Insert number of registration plate

declare that:

— the most recent unloading of poultry or their products took place at:

Region, Province, Place	Date (dd.mm.yy)	Time (hh:mm)

This information must be provided by the operator/driver.

— following unloading, the vehicle was subject to cleansing and disinfection. The cleansing and disinfection included the compartment, loading ramp, the wheels and the driver's cabin and protective clothes/boots used during unloading.

The cleansing and disinfection took place:

Region, Province, Place	Date (dd.mm.yy)	Time (hh:mm)

This information must be provided by the operator/driver.

— the disinfectant used was:

Date	Place	Signature of the operator/driver

Name of operator/driver in block letters:

2. Certification by the competent authorities carrying out checks of transport

I, the undersigned official certify that I have checked the vehicle with registration number today,
 Insert registration number

and found it satisfactorily cleansed and disinfected.

Date	Place	Competent authority	Signature of the official ⁽¹⁾
Stamp ⁽¹⁾			Name in block letters

⁽¹⁾ The colour of the stamp and the signature must be different from that of the printing.

COMMISSION DECISION

of 22 February 2000

amending Decision 1999/788/EC on protective measures with regard to contamination by dioxins of certain products of porcine and poultry origin intended for human or animal consumption

(notified under document number C(2000) 490)

(Text with EEA relevance)

(2000/150/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 10(4) thereof,

Whereas:

- (1) The restrictions laid down by Commission Decision 1999/788/EC of 3 December 1999 on protective measures with regard to contamination by dioxins of certain products of porcine and poultry origin intended for human or animal consumption ⁽⁴⁾ are not to apply to products which have been shown by analyses not to be contaminated by dioxins or which have been derived from animals slaughtered after 20 September 1999 or from eggs laid after that date.
- (2) The Belgian authorities have informed the Commission that, following the completion of an analytical programme, all Belgian poultry holdings are now certified by the Belgian authorities as not being contaminated by dioxins or PCB's. In addition, the eggs laid before 20 September 1999 and all the products derived therefrom have been identified and have been subjected to appropriate investigation, including analysis. Those investigations have been carried out with negative results since July 1999. Furthermore, the Belgian authorities have continued to carry out a number of surveillance programmes on the feed sector. The results of those programmes have not shown positive results linked to

PCB and dioxin contamination in certain feed ingredients and compound feedingstuffs produced after 2 April 1999. The identification and investigation of all the stock of pigmeat, poultrymeat, and derived products derived from animals slaughtered before 20 September 1999 has not yet been completed.

- (3) In the light of the foregoing, it is appropriate to lift the restrictions on eggs and products derived therefrom and on rendered fats, processed animal proteins, compound feedingstuffs and pre-mixtures. Decision 1999/788/EC should therefore be amended accordingly.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/788/EC is amended as follows.

1. In Article 1(1), points (g) to (k) and point (m) are deleted.
2. In Article 1(2)(b), the words 'or from eggs laid after that date' are deleted.
3. In Article 4(1), the words 'or from eggs laid before that date' are deleted.
4. In Annex A, the words 'Eggs, egg products, fresh poultrymeat and derived products' are replaced by 'Fresh poultrymeat and derived products'.
5. Annex B is amended as follows:
 - (a) in Part I, the seventh to the 11th and the 13th indents are deleted;
 - (b) in Part IV, the second indent is replaced by the following:

'the product was derived from animals slaughtered after 20 September 1999.'
6. In Part I of Annex C, the seventh to the 11th and the 13th indents are deleted.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 29.

⁽⁴⁾ OJ L 310, 4.12.1999, p. 62.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 February 2000.

For the Commission

David BYRNE

Member of the Commission
